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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/003,749      | 10/23/2001  | Jarmo Skarp          | SEPP15.001AUS       | 4903             |

20995 7590 06/03/2003

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| EXAMINER |
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CHEN, BRET P

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

1762

DATE MAILED: 06/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,749

Applicant(s)

SKARP ET AL.

Examiner

B. Chen

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 20 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

Claims 1-22 are pending in this application.

#### *Election/Restrictions*

Applicant's election of claims 1-19, 22 in Paper No. 5 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 20-21 have been withdrawn from consideration as being directed to a nonelected invention.

#### *Priority*

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-19, 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14 line 9, the term "the part" lacks antecedent basis. The same issue applies to claim 17 and 22.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-19, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Derderian et al. (6,458,416) or Sherman (6,342,277).** Derderian discloses a Atomic Layer Deposition (ALD) method of depositing a film by exposing an initial substrate to a first chemical specie to accomplish chemisorption of the specie onto the substrate to form a monolayer followed by a second chemical specie onto the first monolayer (col.2 lines 41-57). The deposited film can be aluminum oxide (col.3 line 7). The precursors can be an aluminum precursor such as TMA and the second precursor can be oxygen (col.5 lines 40-57). The chamber temperature can be 250-350°C (col.6 lines 20-22).

Sherman discloses a method of forming aluminum oxide by ALE (col.4 lines 34-51). The precursors can be TMA and oxygen (Example 6). However, the references remain silent on the substrate temperature.

It is noted that Sherman teaches that a substrate temperature of 300-600°C is undesirable to achieve high quality films (col.2 lines 60-65). It is well known in the art that temperature is conventionally varied with distinct advantages and disadvantages and is a cause effective variable. High temperatures have high growth rates which reduces processing costs but can thermally damage substrates. It is well settled that determination of optimum values of cause effective variables such as these process parameters is within the skill of one practicing in the art.

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It would have been obvious to lower the processing temperatures because of the reasoning provided above.

The limitations of claims 2 and 6-10 have been addressed above.

In claims 3-5, the applicant requires a specific precursor. To utilize any well known aluminum organic precursor is conventional in the art with the expectation of obtaining similar results.

In claims 11-13, the applicant requires a specific use for the substrate. These are well known and convention uses as noted in Sherman in col.1 lines 5-40.

In claim 14, the applicant requires that the substrate be sensitive to moisture while in claim 17, the applicant requires that the substrate be sensitive to atmosphere. It is believed that a semiconductor substrate meets this limitation.

The limitations of claims 15-16, 18-19, 22 have been addressed above.

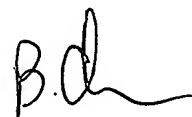
Sneh (6,451,695) has been provided for additional information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Chen whose telephone number is (703) 308-3809. The examiner can normally be reached on 10 hour days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (703) 308-2333. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

bc  
May 31, 2003



**BRET CHEN**  
**PRIMARY EXAMINER**